

May 20, 2013

**VIA ELECTRONIC DELIVERY**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Room TWA325  
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation  
WT Docket No. 13-59**

Dear Ms. Dortch:

On May 16, 2013, PTC-220, LLC ("PTC-220") representatives Henry McCreary and Bart Downing (CSX Corporation), Ed Hollingsworth (Union Pacific Railroad), and Michael Lannan (Burlington Northern & Santa Fe Railway) and I met with Roger Noel, Lloyd Coward, Richard Arsenault, Brian Regan, and Rod Conway of the Wireless Telecommunications Bureau and Jamison Prime and Brian Butler of the Office of Engineering and Technology to discuss PTC-220's Request for Waiver<sup>1</sup> in the above-captioned proceeding. Kevin Andris and Josh Allison (Norfolk Southern Railway) also participated in the meeting by telephone.

During the meeting, the PTC-220 representatives explained that granting the requested waivers would facilitate more efficient use of PTC-220's limited spectrum resources for positive train control, particularly in congested areas. The parties emphasized that up to half of PTC-220's spectrum will remain fallow without the waiver, and it will need to acquire more spectrum on the secondary market to serve the needs of its own members as well as the short line and commuter railroads. PTC-220 also addressed objections raised by the National Rural Telecommunications Cooperative, as reflected in PTC-220's reply comments.<sup>2</sup> Specifically, the representatives explained that: (1) PTC-220's technical analysis (including more realistic path loss modeling and noise floor assumptions) shows limited potential impact on NRTC; (2) PTC-220's proposed coordination process ensures that NRTC will be able to place new stations in the same locations as it could without the waivers; and (3) PTC-220 will bear the burden to make any needed changes to prevent other licensees from suffering harmful interference at a proposed new site.

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<sup>1</sup> See Request of PTC-220, LLC for Waivers of Sections 90.729(b) and 90.723(f) of the Commission's Rules, WT Docket No. 13-59 (filed Feb. 1, 2013).

<sup>2</sup> See Reply Comments of PTC-220, LLC, WT Docket No. 13-59 (filed Apr. 23, 2013).

May 20, 2013

Pursuant to Section 1.1206(b) of the Commission's rules, I am filing this notice electronically in the above-referenced docket. Please contact me directly with any questions.

Respectfully submitted

*/s/ Michele C. Farquhar*

Michele C. Farquhar  
Counsel to PTC-220, LLC

michele.farquhar@hoganlovells.com  
D 1+ 202 637 5663

cc: Roger Noel  
Lloyd Coward  
Richard Arsenault  
Brian Regan  
Rod Conway  
Jamison Prime  
Brian Butler